

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Christopher Anderson	Team: Squad #2	CCRB Case #: 201801963	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 03/10/2018 9:40 PM	Location of Incident: Eastern Parkway and Washington Avenue	Precinct: 71	18 Mo. SOL 9/10/2019	EO SOL 9/10/2019	
Date/Time CV Reported Tue, 03/13/2018 11:05 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Tue, 03/13/2018 11:05 AM		

Complainant/Victim	Type	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. SGT Larry Meyers	05284	939030	071 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Christopher Maccarone	08142	956054	071 PCT
2. POM Michael Ohalloran	12875	956137	071 PCT

Officer(s)	Allegation	Investigator Recommendation
A.SGT Larry Meyers	Force: Sergeant Larry Meyers used physical force against § 87(2)(b)	

## Case Summary

On March 13, 2018, § 87(2)(b) called the CCRB to file this complaint on behalf of his girlfriend, § 87(2)(b).

On March 10, 2018, at approximately 9:40 p.m., § 87(2)(b) drove his vehicle in the vicinity of Eastern Parkway and Washington Avenue in Brooklyn, transporting § 87(2)(b) to her place of work. The vehicle was stopped by Police Officer Christopher Maccarone and Police Officer Michael Ohalloran of the 71st Precinct. After speaking with the officers, § 87(2)(b) requested that a supervisor be summoned to the location.

Sergeant Larry Meyers of the 71st Precinct arrived and had § 87(2)(b) exit his vehicle. § 87(2)(b) was told that she could leave the location, and as she attempted to gather belongings from the interior of § 87(2)(b)'s vehicle, Sergeant Meyers allegedly grabbed hold of the items in her hands, pressed his forearm against her chest, and pushed her backwards, causing her to drop the items she held (**Allegation A- Force: Physical Force**, § 87(2)(g)). § 87(2)(b) was arrested and charged with § 87(2)(b).

§ 87(2)(b) (Board Review 01).

No video footage was found in this case.

## Findings and Recommendations

### Allegation (A) Force: Sergeant Larry Meyers used physical force against § 87(2)(b)

On April 6, 2018, § 87(2)(b) was interviewed at the CCRB. On May 30, 2018, Sergeant Meyers and Police Officer Maccarone were interviewed at the CCRB. § 87(2)(b) did not wish to provide a statement to the CCRB, beyond his initial complaint, due to the court case stemming from his arrest in this incident.

It is undisputed that after § 87(2)(b)'s vehicle was stopped for traffic violations, he was arrested, and his vehicle was seized and vouchered. After § 87(2)(b) was removed from the vehicle, § 87(2)(b) attempted to retrieve belongings from its interior. As she did so, Sergeant Meyers removed some of these belongings from § 87(2)(b)'s possession. § 87(2)(g)

§ 87(2)(b) stated that as she retrieved both a cell phone and handbag from the center console of § 87(2)(b)'s vehicle while seated in its front passenger side seat, Sergeant Meyers entered the front driver side seat of the vehicle, took hold of the items § 87(2)(b) held and, with his forearm, pressed against § 87(2)(b)'s chest, causing her to fall backwards and release the items from her grasp.

§ 87(2)(b) stated, in his initial complaint, that § 87(2)(b) while outside of § 87(2)(b)'s vehicle, reached into its interior and retrieved her own cell phone. Sergeant Meyers grabbed hold of the phone in § 87(2)(b)'s hand and pushed her against § 87(2)(b)'s vehicle.

Sergeant Meyers stated that § 87(2)(b) exited § 87(2)(b)'s vehicle holding a cell phone that he had earlier observed in the vehicle's center console. When he questioned about the phone's owner, § 87(2)(b) stated that it belonged to § 87(2)(b). Sergeant Meyers informed § 87(2)(b) that she could not take § 87(2)(b)'s property from the location and that the officers would "safeguard it." He then took hold of the phone with his hand and removed it from § 87(2)(b)'s hand. § 87(2)(b) did not verbally or physically resist this action. Sergeant

Meyers denied pressing his forearm against § 87(2)(b)'s chest or making contact with her body whatsoever while doing so.

Police Officer Maccarone denied seeing or hearing the content of Sergeant Meyers' interaction with § 87(2)(b) because he was concentrating on § 87(2)(b)

§ 87(2)(g)

§ 87(2)(g)

### **Civilian and Officer CCRB Histories**

- § 87(2)(b) has been party to one other CCRB complaints and has been named a victim in two allegations (Board Review 02).
  - § 87(2)(b)
- This is the first CCRB complaint to which § 87(2)(b) has been a party (Board Review 03).
- Sergeant Meyers has been a member-of-service for 12 years and has been a subject in 22 CCRB complaints and 38 allegations, one of which was substantiated:
  - 200614034 involved a substantiated allegation of search of person against Sergeant Meyers. The Board recommended Charges and the NYPD imposed Instructions.
  - § 87(2)(g)

### **Mediation, Civil and Criminal Histories**

- This case was unsuitable for mediation.
- On June 13, 2018, a Notice of Claim inquiry was sent to the New York City Office of the Comptroller, and the response will be added to the case file upon receipt (Board Review 04).
- § 87(2)(b), § 87(2)(c)
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- § 87(2)(b), § 87(2)(c)

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Squad No.: \_\_\_\_\_

Investigator: \_\_\_\_\_  
Signature Print Title & Name Date

Squad Leader: \_\_\_\_\_  
Signature Print Title & Name Date

Reviewer: \_\_\_\_\_  
Signature Print Title & Name Date